



U.S. Department of Justice

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ROCKFORD IRONWORKER LOCAL BUSINESS MANAGER FOUND GUILTY OF GRAFT IN CONNECTION WITH UNION PENSION PLANS

ROCKFORD -- PATRICK J. FITZGERALD, United States Attorney for the Northern District of Illinois, J. D. NICHOLS, Special Agent-In-Charge of the Chicago Region of the United States Department of Labor, Office of Inspector General, Office of Labor Racketeering and Fraud Investigations, and KENNETH M. BAZAR, Regional Director of the Chicago Regional Office of the United States Department of Labor, Employee Benefits Security Administration, today made the following announcement:

THOMAS C. KISTING, 54, Rockford, was found guilty today in federal court of receiving a 1999 Harley Davidson motorcycle valued at \$19,808.10 because of Kisting's actions, decisions and other duties relating to the pension funds of the Ironworkers Local 498. The jury's verdict followed a four-day trial. KISTING had been indicted for that crime on January 27, 2004.

The indictment had charged that Kisting was the Business Manager for Ironworkers Local 498, located in Rockford, Illinois, and the Plan Administrator for Local 498's two pension funds. The indictment alleged that the two pension funds had entered into administrative services agreements with Joseph/Anthony and Associates, Inc., a corporation whose president was Michael Linder. The indictment charged that between December 23, 1998, and January 15, 1999, Kisting received from Joseph/Anthony and Linder a 1999 Harley Davidson motorcycle valued at \$19,808.10, and that Joseph/Anthony and Linder gave the motorcycle to Kisting because of Kisting's actions, decisions and other duties relating to the pension funds.

United States District Judge Philip G. Reinhard set sentencing for November 19, 2004, at 9:00 a.m. The charge carries a maximum penalty of up to 3 years of imprisonment and a fine of up to \$250,000. The actual sentence will be determined by the United States District Court, guided by the federal Sentencing Guidelines and the Federal Rules of Criminal Procedure. Kisting will not be eligible for parole.

The case was investigated by the Chicago offices of the Department of Labor, Office of Labor Racketeering and Fraud Investigations and Employee Benefits Security Administration. The case is being prosecuted in federal court by Assistant United States Attorney JOHN G. McKENZIE.

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